

## The Sun

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## Unprecedented Treatment of a President by Senate and House.

The Constitution distinctly requires that the President shall from time to time give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient. Nothing in the organic law is more positive than this mandate. It is not that the President "may" communicate his views to Congress; he "shall." From the beginning of our Government this constitutional intercourse between the Executive and the Legislature has been carried on with punctilious ceremony on both sides. WASHINGTON and JOHN ADAMS used to go sometimes to the Congress in person to impart the information and pronounce the recommendations. Since JEFFERSON became President all messages have been delivered in writing; but at no time has there been any relaxation in the ceremonial character of the approach by the Executive or in the respectful attitude of the Congress as recipient.

Suddenly, on Monday and Tuesday of the present week, the uniform practice and the unbroken precedent of six score years are suspended and violated. For the first time since the first session of the First Congress the message of an American President, containing information of the state of the Union and conveying recommendations for the consideration of the Congress, has encountered at the Capitol no prompt and respectful attention habitually accorded to such communications, but, on the contrary, ostentatious and almost contemptuous manifestations of indifference, impatience, even disgust. This occurred both in the Senate and in the House. Nothing like it, we repeat, has occurred since 1789. The event is portentous.

The usual ceremony attending the reception of a Presidential communication is illustrated in the record of the last preceding message, that of two weeks ago, in which Mr. ROOSEVELT urged that four new battleships be authorized in the naval bill.

"SPECIAL MESSAGE FROM THE PRESIDENT OF THE UNITED STATES."

The Vice-President then laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on Naval Affairs and ordered to be printed.

Then follows the text of the message. In the House the same:

"The Speaker laid before the House a message from the President of the United States, which was read and referred to the Committee on Naval Affairs and ordered printed."

The President no longer goes to the Congress himself with information he has to communicate concerning the state of the Union and the recommendations he has to make, but his messenger and his message have been treated invariably with the instant and respectful attention that a personal visit would command. The formalities of these occasions are known to all readers of the Congressional Record.

On Monday afternoon Mr. ROOSEVELT sent to the Congress a message which we have some reason to believe he regards as among the most important he ever wrote. The Record for that day contains not a trace of a headline announcing the circumstance. The Senate had been engaged with miscellaneous business and the District of Columbia appropriation bill came up.

Mr. GALLINGER, Mr. President, I move that the Senate proceed to the consideration of the bill H. R. 20,000 making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1909, and for other purposes.

The motion was agreed to.

Mr. GALLINGER: The bill will be laid aside temporarily. I will call it up in the morning.

The Vice-President: The Senator from New Hampshire asks that the bill be laid aside temporarily. In the absence of objection it is so ordered. The chair lays before the Senate a message from the President of the United States.

Mr. ALDRICH: I would suggest that the reading of the message be postponed until tomorrow morning, as the hour is late and there are but few Senators now present.

Mr. LODGE: It has been given to the press.

Mr. TELLER: That will make any difference.

Mr. FORAKER: I move that the Senate adjourn.

The motion was agreed to and at 6 o'clock and 45 minutes P. M. the Senate adjourned until tomorrow, Tuesday, April 25, 1906, at 12 o'clock noon.

Behind the lines of the formal record you can see the message emerging from a pile of miscellaneous business on the Vice-President's desk, as if it were the report of the Pension Committee on a claim for a \$7 increase or a petition from some crank in Oklahoma or Oregon; you can see the Senate agitated and appalled at the prospect of several minutes of Rooseveltian rhetoric; you can hear Mr. ALDRICH cynically alleging the "lateness of the hour and the paucity of the audience; you can discern the agitated Senator LODGE, next personal friend of the Administration, loyally endeavoring to secure for the communication even a semblance of respectful treatment; you

can hear the hearty yea with which the entire Senate hails Senator FORAKER'S proposal to evade the impending calamity by adjournment, and you can observe that dignified body, perhaps the most conventional, most courteously patient and considerate assemblage of polite old and middle aged gentlemen in the whole world, scurrying forth as if before the hot blast of a pestilential sirocco.

What a picture; but what a scandal to the orderly, constitutional government which the Fathers intended!

The Record does not show whether the document actually reached the House of Representatives before adjournment on Monday night. Certain it seems to be that for reasons unknown, possibly from an impulse common with politicians who are candidates for popularity, the message was impounded and practically suppressed at the south end of the Capitol for about twenty-four hours after its emergence in the Senate from among the papers on Mr. FAIRBANKS'S desk. We are expressing no opinion as to the responsibility for this outrage and insult. But all through the darkness of Monday night, all through the daylight of Tuesday up to 4 o'clock in the afternoon, the President's constitutional budget of information of the state of the country, his recommendations as to needed legislation, his incidental remarks on moral subjects, his arguments, his preachings, his carefully elaborated and balanced passages of antithetical eloquence, his wicked multimillionaire, the multimillionaire's fool of a son and the fool's sister, the multimillionaire's foreign princess of a daughter—all remained imprisoned together in JOSEPH G. CANNON'S private office back of the Speaker's desk. Repeated and apparently derisive attempts to drag the message out into the sight of the members of the House were thwarted upon various parliamentary pretexts. For a whole legislative day this seriously conceived document, representing one of the highest functions of the Chief Magistracy itself, was the sport of the ironically inclined, the toy of partisan tactics, the object of mock derisive remarks from the floor. When Mr. CANNON saw fit to produce it, late on Tuesday afternoon, the message received the ultimate insult in that ignoble form of reference which corresponds to post-nomment to the Greek kalends.

In speaking of this unparalleled treatment of a Presidential message as scandalous THE SUN means all that the word scandalous signifies. There is no excuse for the unpleasant incident. Mr. ROOSEVELT'S teachings may have become a bore to both Senators and Representatives, but he is President and he is doing his constitutional duty as he understands it. Fidelity to his oath requires him to submit to the Congress information "from time to time," and his own judgment alone must determine the frequency of the intervals. His oath requires that the information shall be "of the state of the Union," but if Mr. ROOSEVELT interprets this to mean information of the state of his own mind there is no constitutional remedy.

Congress, too, must do its duty and listen patiently and respectfully, with whatever fatigue. That Senators and Representatives are weary of Mr. ROOSEVELT'S exhortations is no reason why they should combine to boycott him. Any such manifestation of impatience and displeasure goes beyond Mr. ROOSEVELT the individual and injures the dignity and prestige of the great office he holds. Mr. LODGE was right in his impulse if unsuccessful in his effort.

Our Ten Year Naval Programme.

It seems to be settled, so far as the United States Senate is concerned, that although only two first class battleships will be begun this year an equal number of vessels of the same or of a superior type will be started in every year of the decade 1908-18. This means that when the twenty Dreadnoughts thus authorized are completed we shall have forty-five battleships, none of which was begun before 1893. Let us compare this prospective result with the expected dimensions of the German and Japanese navies in fighting units.

Accepting as trustworthy in most particulars the statistics presented in the latest book on the subject, "The Admiralty of the Atlantic," by Mr. PERCIVAL A. HIGMAN, we find that Germany now has twenty-two completed battleships and six under construction, while in pursuance of the latest revision of her naval programme four battleships of the Dreadnought or a still more powerful type will be laid down this year and every year up to and including 1911. The fulfillment of this plan would add sixteen first class battleships to the twenty-two battleships. Most of the existing ones, however, are inferior in efficiency to the Dreadnought type. But suppose that Germany should continue, as probably she will, to begin four Dreadnoughts annually during the nine years 1912-20. If such a supplementary programme should be resolved upon and the last of the ships thus authorized should have been made ready for sea, it would be some time in 1924—it takes somewhat less than four years to complete a battleship in the German shipyards—Germany would have seventy-four battleships, of which more than fifty would be of the Dreadnought or a higher class.

We should have, as we have seen, at the same time forty-five battleships, of which, however, only twenty-two would be of the Dreadnought or Delaware type, Germany would surpass us as regards units of the greatest fighting efficiency in the proportion of more than two to one. Moreover, in 1924 Germany will have much outstripped Great Britain herself in the number of Dreadnoughts unless the British Government is faithful to Mr. ASQUITH'S promise that next year and thereafter the number of first class battleships laid down annually shall be greatly increased. We should bear in mind, too, that Germany's sea power will not be involved in a worldwide struggle; her colonial and commercial interests can be cared for by armored and protected cruisers. Her contest for maritime ascendancy will be one of bloody and deadly concentration, for which she needs to husband at home all her available strength in high class battleships. Nor is

it easy to foresee when Britain can avoid the necessity of keeping a considerable fraction of her battleships in the Mediterranean, although since the Anglo-Japanese alliance she has been able to recall those (five) which six years ago she stationed in the Pacific.

Now let us glance at the figures relating to Japan, which in respect of units of great fighting efficiency now ranks fifth among naval Powers, although ten years ago the Mikado's navy contained but five battleships, only three of which were less than twenty years old. Mr. HIGMAN points out that at the present moment Japan is building the most formidable battleships in the world, exceeding the Dreadnought somewhat in displacement and materially in armament. Between 1899 and 1904 Japan added ten battleships to her navy, and between 1905 and 1907 continued to lay down battleships, to say nothing of the seven captured from the Russians. The figures for 1907 show that she then had thirteen efficient battleships built and four building. Recent experience has proved that Japan can in her own yards and from her own works build and arm a battleship more quickly than can Britain or Germany, France or the United States.

One thing is evident, namely, that if Japan goes on at her present rate of naval expansion she will before long compel us to keep permanently in the Pacific as many first class battleships as we now have in that ocean. As we cannot hope to maintain more than about the same number in the Atlantic we should be quite powerless to cope with the concentrated strength of Germany.

The Recovery of San Francisco.

Some interesting figures shown in a bulletin issued by the California Promotion Committee remind us how admirably the citizens of San Francisco have worked toward rehabilitation and what feebleness and delay have marked the efforts of the municipality in this respect. Citizens, as individuals or associated as corporations, have constructed since the earthquake and fire residence and business buildings to a value of more than \$117,000,000. This fine showing they have made while meeting the enormous additional demands on their resources required for restocking their warehouses and stores, replanting their factories, refurnishing their homes, even replenishing their wardrobes.

So nearly have the citizens wholly restored conditions for work and residence that practically all who were forced for a time to seek homes in neighboring bay towns have resumed residence in San Francisco. Before the fire the city had a population of about 500,000 and to-day its estimated population is only 15,000 less than that number. What was necessarily done to make a habitable city is shown in that immediately after the fire there was housing accommodation in San Francisco, and much of that provisional, for but 175,000.

Opposed to these and other figures which prove that courage has directed the hard work done by individuals is the catastrophe the municipality as a recreative force has stood almost idle. In that time the city government has spent but a little more than \$3,000,000 for rehabilitation and permanent improvement.

It is pleasant to note that while material conditions are rapidly assuming satisfactory shape the city's health has, also largely through individual efforts, been well looked after. Under date of April 13, Dr. BLUE, who is the United States health officer in charge, wrote on this subject to Mayor TAYLOR: "I beg to state that in consequence of the vigorous campaign of sanitation the residences and places of business are cleaner than ever. No case of human plague has occurred for sixty days and there are no cases under suspicion."

"The Proudest Boast of Our Civilization."

The Hon. WILLIAM A. RODENBERG of the Twenty-second Congress district of Illinois is conservative in his opinion of the protective tariff system. On Monday he informed his fellow members of the House that:

"The protective tariff policy of the Republican party constitutes the proudest boast of our civilization."

Extremists have asserted that the Dingley tariff law, the latest expression of the Republican protective tariff system, was directly inspired from heaven and was a flawless, perfect statute. Mr. RODENBERG is not one of these. He admits that "no law devised ever possessed the element of perfection." But Mr. RODENBERG is a man of restrained utterances, who prefers to err on the side of understatement.

Let Up on Jeff Davis!

A suit for \$25 entered in one of the Arkansas courts reminds us, rather unpleasantly than otherwise, that such a person as the Hon. JEFF DAVIS still exists. The complainant, Mr. W. J. PARKS, insists that he conducted JEFF'S campaign in Logan and Scott counties and that he is entitled to the money he now claims. It seems a ridiculously small amount when we consider that the services were rendered in 1900, when DAVIS ran for Governor. JEFF ought to have paid the bill long ago when he was flush and would not have felt it. That, however, is no affair of ours. The fact of present importance is that DAVIS has survived the recent Arkansas deluge and has returned to Washington, presumably with the idea of going through the form of being a Senator.

But what a difference between the novel glory of last December and the sad realities of the moment! Then JEFF was radiant with expectation, instinct with purpose. As he said to his friends in the Ozark country: "I'll go down that aisle in my socks and shake my boots in the Vice-President's afflicted face and tell him what I think of the corporations, the octopuses and the miscellaneous hellions of Wall Street." All of which in a way he did a few days later. And everything looked so smiling and secure. Arkansas seemed to be unanimous for DAVIS, almost permanently safe, nailed down and riveted, so to speak. From the

foothills around Eureka Springs to the Ouachita River on the south, and from old man GREENHUT'S riverside poker room to the Indian Territory line on the west, everything seemed to be as settled as a December smokehouse. Well could the JEFF leave Arkansas to its own devices while he took a whirl or two at the myrmidons of ill gotten capital, and tempestuous would be the uproar thereof at home.

And now! Hardly was his back turned and even before the Washington boot-blacks had ceased to wonder when they would get a job on those boots, the enemy in Arkansas had begun to emerge from his hiding and get busy. In fact, JEFF'S speech in the Senate had hardly passed out of mind when an urgent summons sent him bustling back to Arkansas, every pocket bursting with first aid to the injured, and presages of calamity surcharging the very air. So it turned out. The primaries went against JEFF. He was beaten, horse, foot and dragons. His following dwindled to the point of occultation, his influence vanished in the crash, his "pull" resumed its place among up-wholesale vapors, and to-day he is a voice without an echo, a hero without a background, a vaulting, prancing knight errant without a charger or a windmill. Nobody in Arkansas now cares whether he treads the floor of the Senate in his "sock feet" or what he does with his boots. No more will the Ozarks or the river bluffs reverberate with pride and his bawls in Washington. His comb may be worn high or low for all they care. His trousers may bag at the knees and never thrill them. He is down and out, after a career at the national capital covering less than two hours and one speech already forgotten.

W. J. PARKS of Springdale ought to call in that litigation. This is no time to crush the Senator with a claim for \$25. Better, far better, give him enough for a hair cut, a shampoo and a bargain counter suit of clothes. Then his friends won't know him and all will be well.

The American Protective League has been found guilty of criminal libel in a United States court. Has the judiciary no gratitude to, no respect for, the keystone of the nation?

ABTIN, Tex., April 20.—In a public speech here last night Senator J. W. BATHUR offered to sell for \$100 all the property he owned in Texas except 600 acres of land and to give the \$100,000 to charity.

It begins to look as if Mr. JOSEPH BAILEY'S political assets in the Lone Star State would be dear at the price.

Canada's population to-day is about the same as that of the United States in 1803. Its railway mileage is about that of this country in 1858. The pace of railway construction in the Dominion may be shown by total mileage for different periods, thus:

1877	5,574	1887	16,437
1897	11,991	1907	27,611

Railway business has increased during the last ten years more rapidly than has construction. Within that time there has been a gain of 70 per cent. in mileage. There has been an increase of 134 per cent. in passenger traffic and of 168 per cent. in freight traffic, measured in number of passengers carried and tons of freight hauled. Capitalization a mile is \$56,995, and total capitalization in round figures is \$1,550,000,000. Passenger earnings for 1907 were \$47,730,522, and freight earnings were \$95,738,078, a total of \$143,468,600. Operating expenses were \$108,748,872.

Within the next five years enough new rails will be laid to give Canada a system of more than 30,000 miles in total length.

We may take off our hats to the Commonwealth of Australia when we study some phases of her statistics. Her deserts are in rather excessive supply and her total white population is only about that of the city of New York, but she is certainly a wonderful illustration of colonial development.

She counts the value of her total products in a year, agricultural, animal, mineral and manufacturing, at \$700,000,000, and perhaps in proportion to population no very nearly has ever reached this sum or very nearly approached it. Her imports and exports for a year have nearly touched the grand total of \$500,000,000, or about \$220 per capita of the population, while her mother country, the United Kingdom, sells and buys abroad annually only about \$100 worth of supplies for each inhabitant. Her wheat crop has doubled in value in fifteen years, though grazing continues to be her largest agricultural industry; and even if her large dairy herds were to be sold at the average condition of her working people indicates a high degree of comfort, and the proportion of her wage earners who own the houses they live in is said to be larger than in any other country in the world.

This is doing very well for a country that seventy years ago was still chiefly known as a convict colony; and Australia has not yet measured the amplitude of her resources. The wonder grows the more the continent is studied. Western Australia, for example, is now investigating the possibilities in West Kimberley. The most northern division of that State. It is reported, as the result of field work last year in only a part of that division, that it contains more than 1,000,000 acres of land that is perfectly suitable for the cultivation of tropical products. They are talking buoyantly of giving the world any amount of cotton and coconuts within ten years or so.

"The Star Spangled Banner."

TO THE EDITOR OF THE SUN.—Sir: One of your correspondents in demanding that "The Star Spangled Banner" be printed in full in school text books calls to mind the feelings of Englishmen. The great English Cardinal, John Henry Newman, gave us the following definition of a gentleman: "He is one who does not give offence." Are not the Americans that object to the verses of our national anthem on the ground that some of them might give offence as patriotic as those that want the full text?

True patriotism is not nourished on hatred for others any more than one's love for one's mother is fed on hatred for other people's mothers. Let us foster the spirit that prompts objection to anything that gives offence. We cannot be true Americans without at the same time being true gentlemen, and we cannot be gentlemen if we care nothing for the feelings of others.

NEW YORK, April 20. JOHN FOSTER.

The New Indictment.

Not to all brutal mistreatment.

Are railroad crews assigned.

Nor can they be with fervor.

As practical defense.

Not all rich malfeasants.

Can argue or insist.

Will qualified for joining.

The Anasias list.

Now any grasping rich man.

May hobnob with the great.

To draw the Roosevelt thunder.

In messages of state.

So frail is human nature.

Since time his course has run.

And he is not a fool for nothing.

May have a fool for son.

MCLANDERSON WILSON.

## THOUGHTS FOR DENVER.

TO THE EDITOR OF THE SUN.—Sir: It could not fail to be profitable at Denver if the Democratic national convention were to order that the speaking officer begin the proceedings by reading Mr. Bryan's speech of last week in the Senate. Nor would it be sending buckets into dry wells if the convention devoted even two or three days to a discussion of the themes treated by that speech, the one made by Mr. Justice Harlan at the Kentucky dinner three or four months ago and the President's last special message to Congress.

In the old issues symbolized by Tory, Whig and Democrat the party which will be its delegates assemble in Colorado had the best of it, but in later years the Republican party has invaded the Democratic territory of its enemy. Bryan declares that Roosevelt has appropriated his labels and emblems. At any rate, Roosevelt held in 1904 a popular vote of 2,545,515 over Parker and 530 electoral votes against only 140 for the Democrat. Bryan has not disclosed the States wherein he is to get a majority of popular or electoral votes with which to overcome the results in 1904, 1906 and 1908.

Some one has said, perhaps it was Tilden, that it is useless for an opposition candidate for the Presidency to expect to win unless he can start with two-thirds of the voters on his side, so great is the power of patronage the "ins" can exert. Probably Bryan fancies that there will fly to him a portion of the Roosevelt vote, but on what theory? Can Bryan bid higher for national or electoral votes than can Roosevelt or his assignee?

Southern States have probably discovered it is not likely that the election of Bryan to President will remove the restraints imposed by the Fourteenth Amendment on the power of a State to compel a railroad to transport merchandise or passengers for a less sum than a reasonable compensation for use of the property employed in the transportation, no matter how many Judges must unite in an order of injunction. But it is very likely that the effect of the next November election may induce Congress to attempt to deprive each State of the control it now lawfully has of the financing of its own corporations engaged in commerce, and to attempt to prescribe the relations that shall exist between those corporations and their agents and between both and the public.

Bryan has committed himself to the constitutionality and expediency of a Congressional requirement of Federal license or charter of State corporations commanded by Roosevelt as a condition precedent of doing interstate business. He may not yet have decided whether to make the project a part of the platform of the Sherman act of 1907, of which Federal registration, license and control of State corporations are the essence.

It will be for the delegates who will assemble in Denver to consider whether the time has passed when they can rally a majority of the electoral voters next November to uphold the policy outlined by Mr. Bryan or whether the country is to follow the lead of Roosevelt or his assignee, and follow simply because no party will lead in direction opposite to that which will probably be prescribed in Chicago.

If there has been doubt regarding the policies that the President will endeavor to dictate in Chicago it has been removed by his latest utterance to Congress. That body is to give to the Interstate Railway Commission more power to control "the accounting system" of State railway corporations, however dissociated from interstate business. The commission is to have authority to examine not only the books of State corporations but the private business of its officers. There is to be a pretense of confining the national examination and supervision to interstate transportation for hire, but the real and sought is the exercise of a general visitatorial power by Congress over State corporations if they do any interstate business, however small.

Any and every future President is to be empowered to decide when and how far State corporations can restrain competition. These are the latest utterances by the President.

"Power should unquestionably be lodged somewhere in the executive branch of the Government to permit combinations which will further the public interest, but it must always be given to the people, and the great and wary combinations through which most of the interstate business of to-day is done, the burden of proof should be on them to show that they have a right to exist. No judicial tribunal has the knowledge or the experience to determine in the first place whether a given combination is advisable or necessary in the interest of the public. Somebody, whether a commission or a bureau under the Department of Commerce and Labor should be given the power to determine whether it is ultimately well to adopt a national incorporation law, though I am well aware that this may be impossible at present."

The State corporation must demonstrate to the President or an executive bureau its right to exist. Will the Denver convention stand for that?

Perhaps the Democratic national convention to assemble in that city will deem it worth while to consider how much power over its commerce will remain reserved to each State, its voters and Legislature, while Congress shall have regulated the rights, duties and liabilities, civil and criminal, of State corporations, their directors and managers and their use of corporate property.

The issue presented by the President in his last message to Congress is not, as will be seen, between oligarchy and democracy, the few and the many, the classes and the masses, but between each State and the Government at Washington.

The prerogative power of the Executive has grown so great within the last three-quarters of a century that it formulates national issues not only for its own party adherents but for every party in the land. Party issues are now made by the President's policy. Hence the constant emulsion by the President of messages to Congress. He is the national "boss" of his party, not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the thirtieth day of December, in the year of our Lord one thousand eight hundred and four (sic), at a place called Fenne Osage, in the said district of St. Charles, with force of arms, and upon William Hays, in the peace of God and the United States, there and then feloniously, willfully and with malice aforethought, did make an assault, to wit: that he did unlawfully take the rifle gun, four feet long, and of the value of \$5, then and there loaded with gunpowder and one leaden bullet, with said rifle gun the said James Hays, then and there in his hands had and held, fired and killed William Hays.

A true bill was found against James Davis, and he was bound over to appear for trial. His bail bond was fixed at \$3,000, which Daniel Boone signed. There must have been extenuating circumstances connected with the murder, for Davis was cleared when placed on trial.

Compliment for an Eminent Albanian.

TO THE EDITOR OF THE SUN.—Sir: I am just as unquestionably an American Jeffersonian true Democrat as is ex-Governor David Bennett Hill of Albany, N. Y., as is Senator John Warfield of Virginia, as was ex-Governor Samuel Jones of New York, and as was United States Senator A. P. Gorman of Maryland.

The very best thing and the very greatest thing that we, the Democratic party of the United States, could do now to grace the United States Government and also to grace the Democratic party and all the other parties that exist in the United States is to elect David Bennett Hill to be Governor of New York. I think that Mr. Hill would accept the nomination for President of the United States this year if he is asked to accept. If ex-Governor Hill were elected to the Presidency he would unquestionably be a more satisfactory President than would any of the other candidates who are now mentioned for President.

BALTIMORE, April 20.

Algebra.

Kieker.—Roosevelt has been called energy raised to the 10th power.

Bocker.—Will he be raised Cain to the 10th power.

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